

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52219 of 2014

Arising Out of PS.Case No. -215 Year- 2014 Thana -ATHMALGOLA District- PATNA

- =====
1. Asharfi Rai Son of Shree Rai
2. Pintu Rai Son of Asharfi Rai Both resident of village - Lahariatola, P.S.
- Athmalgola, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Anant Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-03-2015 Heard the learned counsel for the petitioners as well
as the learned A.P.P.

The petitioners seek bail in a case for the offences
punishable under sections 304 (B) and 201/34 of the I.P.C

Allegedly sister of the informant was married with
Dhuri Rai, son of petitioner no.1, and due to non fulfillment of
demand of dowry by way of Bed, T.V. etc. was being tortured and
ultimately she was killed and made the dead body traceless.

Submission is that petitioner no.1 is the father-in-law
and petitioner no.2 is Devar of the deceased. The marriage was
solemnized in the temple. Admittedly the wife of petitioner no.1
has filed case against brother-in-law and other family members of

the victim with assertion that they took away the victim from the house of the petitioner. The mother-in-law has been allowed pre-arrest bail in Cr. Misc. No. 279 of 2015 vide order dated 08.01.2015 by another Bench of this Court and the petitioners are suffering in custody having no criminal antecedents. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

In the facts and circumstances as stated above, considering detention of the petitioners now they are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Barh District- Patna in Athmalgola P.S. Case No. 215 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--